

Special Education Advisory Panel

October 13, 2006

Minutes

Members Present

Joan Zavitsky	Doreen Frappier	Kris Callen
Lynda Roberts	Martha Crabtree	Pat Jackson
Steve Viola	Melodie Friedebach	Trish Grassa
Deann Fiedler	Eileen Huth	Diane Francis
Ray Wicks	Jerry Neal	Shirley Woods
Deb Hendricks	Karen Coleman	Jeaneal Alexander
Dorothy Parks	Malinda Darter	Amanda Coleman

Members Not Present

Cathy Einhorn	Kim Oligschlaeger	Kenneth Southwick
Melissa Frazier	Mary Kay Savage	Theresa Valdes
Nina Murphy	Patti Simcosky	Beverly Woodhurst

DESE Staff

Pam Williams	Margaret Strecker	Jackie McKim
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Copies of handouts distributed at the meeting are available at:
<http://dese.mo.gov/divspeced/Administration/AdvisoryPanel/94142meetings.html>.

Call to Order/Introductions/Approval of Minutes – Joan Zavitsky called the meeting to order at 8:30 a.m. Introductions were made. Melodie Friedebach made a motion to approve the previous minutes as written. Martha Crabtree seconded the motion. Motion passed with three abstentions.

Name Tents – Joan Zavitsky indicated the norms for panel meetings are printed on the back of the name tents.

Letter to Commissioner King – Joan Zavitsky indicated a thank you letter was sent to the Commissioner thanking him for attending the August Panel meeting. She also indicated that the Commissioner was recently diagnosed with a brain tumor and underwent surgery and is currently recovering at home.

Formal Recommendation #9 – Pam Williams indicated the survey information has been pulled together. There is currently a database in place to track the survey information.

Formal Recommendation #12 – Ray Wicks indicated that the Rules and Regulations subcommittee is waiting on the final state regulations. Pam Williams indicated that she hopes to have the state regulations out for public comment by January 15.

Formal Recommendation #13 – No update.

DESE Update

RFP (Request for Proposal) for Virtual Schools – Melodie Friedebach indicated there was recently legislation passed which requires DESE to create a virtual school for students kindergarten through twelfth grade. Kurt Fuchs, Director, Division of School Improvement, has been collecting information from other states with virtual school programs and virtual school vendors. He is developing a request for proposal (RFP) and is hoping to have it open for bid by November 1. DESE must have a program in place for enrollment to begin by July 1. The first year enrollment is open to only 500 (full time equivalent) students. The virtual school must represent the entire state so not all students who enroll will be accepted. The virtual school also cannot discriminate based on disability (must provide accessible materials to those students enrolled). The virtual school will be made available to students enrolled in public schools as well as home-schooled and private/parochial students. The curricula must be aligned with the public schools.

Update on Final Regulations and IDEA Roll-out Plans - Pam Williams indicated the final regulations went into effect today and DESE is now responsible for implementing the new regulations. A SELS message will be sent reminding districts of this.

DESE has already made a lot of changes to the state regulations and state statute. Information regarding IDEA 2004 is posted on the Division's website at: <http://dese.mo.gov/divspeced/IDEA2004.html>. DESE is planning to do regional trainings (four or five) on compliance (provision of IDEA 2004 new provisions and all other compliance items) in the next two to three months. Revisions are currently being made to the state regulations (changes that need to be made which were not made previously) with the hope of having it ready for public comment by January 15. DESE will encourage everyone providing services and those who need to understand the requirements to be present at the training.

Margaret indicated there are changes with the fourth cycle monitoring for the current school year in accordance with the U. S. Department of Education. There is an emphasis on focused monitoring (spotlighting student performance). The compliance monitoring requirements are still there but the monitoring will be designed around OSEP's performance standards. Districts will still be required to do a self assessment.

NIMAS (National Instructional Materials Accessibility Standard)/NIMAC (National Instructional Materials Access Center) – Pam Williams indicated that each state has to adopt the NIMAS standards and then the state and each LEA must indicate if they will coordinate with the NIMAC. NIMAC is a clearinghouse-type center that receives the file sets and then get the materials out so they can be produced.

DESE has created a state-level advisory committee including members from various stakeholder groups with an interest in materials for visually impaired children. DESE would like to have a plan in place by December 3. The intent is to provide accessible materials to students who are visually impaired in a timely manner. Students with a print disability would need a physician's statement to be eligible for these materials. DESE is looking at have two authorized users (the entities that deal directly with NIMAC): Assistive Technology Center and Missouri School for the Blind (MSB). MSB would do large print and Braille while the Assistive Technology Center would do the audio. A district needing these materials would need to contact one of those groups. MSB also has access to the APH registry. Districts can opt in or out of coordinating with NIMAC. If they opt out, they must assure that they will provide accessible materials to students in a timely manner. If panel members have questions or concerns, email pam.williams@dese.mo.gov.

Data Reporting Changes – Pam Williams indicated OSEP is requiring DESE to make some changes in the data collection requirements for Early Childhood Special Education (ECSE) students. Beginning December 1, 2006 (reporting for age 3 to preKindergarten age 5), districts will report what the total education environment is for each child and include the district's services provided based on the IEP and the child's time for the rest of the day. For example, the IEP team determines a child needs three hours of special education services daily in a special education class; the rest of the day, the child is in a daycare (parents' decision). The IEP team will need to identify this and have some sort of system for recording and reporting to DESE. A guidance sheet has been developed to assist districts in determine what the education environment is for each child. This is a big change but it does not replace placement. The IEP team still must determine the child's placement.

Speech/Language Data - Pam Williams indicated DESE is also changing the data reporting for speech/language students. Beginning December 1, 2006, if a student's primary disability is speech, they will be reported under the speech category or, if the primary disability is language, they will be reported under language.

The main reason for this change is that DESE is currently working with the Provisional Licensing Board (Board of Healing Arts). They have concerns with the Division's speech implementer model. If the Board of Healing Arts invokes their authority in precluding us from using our speech implementation model, the state will have a significant shortage of providers for sound system articulation disorders. The Board of Healing Arts sent a letter to Commissioner King asking for the Department's authority for the speech implementer model. DESE sent a letter back indicating there was no legal authority for the model. DESE staff worked with the Missouri Speech and Hearing Association (MSHA) in developing the model but apparently a concern has been raised with the Board of Healing Arts. A SELS message regarding this was sent to districts in August.

Public Reporting – Pam Williams indicated that DESE is required to report publicly on the performance of all state performance indicators at the state and district level. DESE developed a model report and it has been provided to each district for them to review for accuracy and suggest changes. District information has been provided to districts in the past but has not been reported publicly on the web until now. DESE hopes to have the final format ready for the district reports so they can be posted on the web around the middle of November. This will be done on an annual basis. DESE will send an electronic version of the sample form to panel members for their review and suggestions.

Part B Funds – Pam Williams indicated that a SELS message was sent about a month ago to districts indicating their Part B entitlement applications were ready for their review and submission. The email also indicated the Part B entitlement allocations for FY 07 would be less for most districts. There were several factors attributed to the reduction:

- DESE's FY 07 grant award was less than the FY 06 grant award.
- During the past few years, DESE increased the district grant allocation above the basic grant amount using uncommitted federal funds.
- Some of those funds are now committed or will be used for targeted projects like support of the thirty professional positions at the Regional Professional Development Centers (RPDCs) which support school districts' special education activities.
- Private/Parochial children are now counted in the district where the private school is located instead of child's domicile district which might have an impact in some districts.
- Decreases in the district's total population and/or free and reduced lunch counts will affect the district's total allocation.

Kris Callen indicated that there would likely be a tuition tax credit bill introduced in the legislature this coming year. It would allow corporations to receive donations and then have a process for families to apply for the funds. Melodie was unaware of this but would discuss with DESE's finance staff. Ray Wicks suggested inviting the person that introduces the bill to an upcoming panel meeting.

Procedural Safeguards – Pam Williams indicated the new Procedural Safeguards are posted on DESE's website as of today. Pam handed out the Procedural Safeguards with last year's changes highlighted (for the newer members who were not here last year when the changes were made). Pam also handed out the current Procedural Safeguards (OSEP's model which corresponds with the final regulation going into effect – red indicates new text). DESE will send a SELS message to districts indicating the Procedural Safeguards have been posted on the web and they will be receiving one copy per each child listed on their child count. Districts will be asked to disseminate them to all parents of children with IEPs. From that point on, districts will provide the Procedural Safeguards in accordance with regulations. There are few revisions in the new copy because DESE made most of the changes last July. Margaret reviewed with the panel some of the changes.

Working Lunch – Each subcommittee chair gave a brief description of what their subcommittees are responsible for so the four new panel members could determine which subcommittee they would prefer to serve on. The panel then broke into individual subcommittee meetings.

Overview of the New Member Orientation – Those that attended the new member orientation felt it was very beneficial. It included information on the difference between when to advocate and when to advise. Also talked about the use of SEAP alumni – possibly using an alumni SEAP member as a surrogate for a member not able to attend, the person would have to be in the same capacity but would not have the ability to vote. It was also felt that the member networking time was very helpful.

Subcommittee Reports

Evaluation – Lynda Roberts reported that they are working on some changes to the by-laws and plan to send the draft by-laws to the panel members for review prior to the next panel meeting. Looking into the idea of alumni panel members.

Rules and Regulations – Ray Wicks indicated that Melodie Friedebach will be editing the State Plan. It was suggested that information on the sections with major changes be presented to the entire panel at the December meeting. The panel would also have the opportunity after January 15 through March to provide additional comments. Melodie is also reviewing the format of the State Plan. She is considering whether to keep the existing format or change to a format similar to the structure of the federal regulations. Panel members were asked to give this some thought prior to the December meeting and suggest what would be the most user friendly.

Formal Recommendation #12 – Pat Jackson made a motion to close formal recommendation #12. Amanda Coleman seconded the motion. Motion passed with one abstention.

Formal Recommendation #13 – Pat Jackson made a motion to close formal recommendation #13. Amanda Coleman seconded the motion. Motion passed with one abstention.

Monitoring – Dorothy Parks indicated Pam Williams gave her the child complaint statistics which she will be forwarding to Ken Southwick, chair of the Monitoring Subcommittee.

Programs – Martha Crabtree indicated their discussion centered on speech/language implementers. They would like to see a long-term plan developed statewide. Also reviewing data pertaining to drop outs. Suggested having someone from the Special Education Data Section attend the December panel meeting to discuss this issue further (what does the drop out data show, how does it relate to MSIP, etc.). Would also like an update on the incentive grants for districts (how many applied, etc.).

Nominations – Trish Grassa indicated the panel currently has three vacancies in the category of “Parents of Children with Disabilities and/or Individuals with Disabilities” and a vacancy in the category of “State and Local Education Officials.” They have made their recommendations to DESE and DESE will proceed.

Public Comment – Jeaneal Alexander indicated they had asked DESE to provide information on what is being collected currently so as not to reinvent the wheel. The subcommittee received that information (discipline, due process, child complaints, call tracking) during their subcommittee meeting. She wanted to know what their charge was with regard to what the panel wants the public to comment about. Melodie indicated that Mary Kay Savage recently sent information to Cathy Einhorn on data that MPACT collects. Joan Zavitsky suggested the subcommittee get and review the MPACT data and DESE data and then come up with six areas of unmet needs and have the panel vote on one or two. The subcommittee could then meet with DESE to get the yearly information (MSIP advanced questionnaire, etc). The subcommittee could also talk with MPACT about the underserved parent population. Jeaneal will be the co-chair for this subcommittee. Joan suggested the subcommittee schedule a conference call or meeting prior to the December 8 panel meeting (possibly the evening before). The subcommittee plans to meet briefly after the panel meeting adjourns.

Member Issues/Reports

OSEP Conference – Joan Zavitsky attended the annual OSEP Leadership Conference with Melodie Friedebach, Pam Williams, and Margaret Strecker.

Future Meeting Dates

February 2, 2007

April 13, 2007

June 22, 2007

Adjournment – Pat Jackson made a motion to adjourn the meeting. Trish Grassa seconded the motion. Meeting was adjourned at 2:50 p.m.